

COMMUNICATION.

TO MARTIN VAN BUREN—No. 8.

Review of *Lieut. Hoar's case*—Continued.

We commence this communication by remarking that if it can be proved that you have been moving under false banners—seeking and obtaining support under false pretences—that one profession of faith made in regard to the institutions of the South to influence one division of the country, another to influence and conciliate political adversaries in another direction—if these grounds can be exposed, and this want of truth and devotedness can be held up to the scorn and contempt of the people, not only will that good be obtained which is always consequent upon the unmasking of hypocrisy, but the real objects of the contest may be rendered obvious to all who are called on to judge and act.

We hope that we shall be able to show conclusively, not only that the arguments which have been urged by you are inconclusive, but that they have been advanced in a spirit of insincerity, and with a total disregard of all consistency and candor.

We shall proceed to make out our case, and we shall endeavor to reduce our argument to its simplest form, and to disengage it from any collateral question which may distract attention from the principles upon which it is founded.

To point out the absurdity of admitting negro testimony in courts of justice against a white man, I will take another and broader view of this question. What is the condition of the free blacks of this country? Are they citizens of this confederated Republic?

The definition of the term "citizens," as used in the Constitution of the United States, is the first point to be ascertained in the investigation of this subject, and if this be not impracticable, it will be found a work of no small difficulty. Even in standard works, in the exact sciences, the terms are not always so definite as to express only the idea intended. In works on philosophy there is, generally, still less precision of language. But in political compacts, more is often left for construction than in most other compositions. This results, in a great degree, from the elements employed in the formation of such compacts; certain interests are to be calculated and protected.

Now, we understand the word "citizens" to mean individuals clothed with all the immunities and privileges which belong to the country in which they reside. According to this definition, are free negroes citizens of the United States? Their rights and privileges are entirely of a different character from those possessed by the white man. A white man has the liberty of emigrating to any one of the States. The citizens of each State shall be entitled to all the privileges and immunities of citizens of the several States. [See 2d section 4th article of the Constitution of the United States.] If we examine the statute books of the several States, we shall find laws expressly prohibiting free negroes moving into the States. They are denied the privilege of emigrating; they are restricted in their civil rights; they are restrained in the action of locomotion; they cannot vote at an election, although they may be freeholders; they are incapable of any office of trust or profit, civil or military; they are not competent witnesses against a white man in any case, civil or criminal; they are not enrolled in the militia, are incapable of bearing arms under the penalties of forfeiture, &c.; they are subject to severe corporeal punishment for raising their hand against a white man; they are incapable of contracting marriage with a white woman, and the attempt is severely punished. These are some only of the incapacities which distinguish them from the white citizens of slaveholding States; but they are, I think, amply sufficient to show that such persons could not have been intended to be embraced by the description "citizens of the United States" in the sense of the Constitution and acts of Congress.

With these restrictions imposed, we cannot say that they are citizens within the meaning of the Constitution.

Chancellor Kent says, that negroes or other slaves born within, or under the allegiance of the United States, are individual born subjects, but not citizens. Citizens under the Constitution and laws, means free white inhabitants born within the United States, or naturalized under the laws of Congress.

It support of the doctrines thus laid down, I will refer to a decision of the supreme court of Connecticut.

In an information against Prudence Crandall, filed by the public prosecutor, it was held by chief justice Daggett, at the trial in 1833, that *free blacks were not citizens*, within the meaning of the term, as used in the Constitution of the United States. Thus it is clearly established, that free negroes are not citizens, and consequently are not competent witnesses, to testify against another class, who are elevated to all the high privileges of freemen. The situation of free negroes in this country may be assimilated to the *heteroclitic* condition of the Villains of England—they are clothed with certain immunities, but are disrobed of all political rights.

We will remark that there is no subject upon which the sensibilities of the States are so easily excited as that which touches in the remotest degree or has a bearing on the institution of slavery; none of which the States are so jealous as those means which enlarge the privileges and immunities of the free blacks. To admit them to give testimony against a white person implies an equality of condition. The right of testifying in a court of justice against a white person, elevates them to the condition of the white population. If they are to be placed in the situation of white persons and to be our equals, why not admit our slaves to the same equality?

The true test of the excellence or folly of any system, are its results when carried fully into operation. These confirm sound theories, however unpopular they may appear in a superficial view; and set the seal of reprobation on pernicious ones, how plausible soever an aspect they wear on paper.

By this touchstone, let us push the doctrine established by the court martial, and approved of by you, to its ultimate consequences, and does it not go the whole length in favor of the principle which has received so much countenance by the abolitionists of the north, to put free negroes on a footing with the whites, and clothe them with all the attributes of political power, which belong to and are exercised by the white population. It is a truth not to be contradicted, that the God of Nature has put his mark upon the negro as a separate caste, and in that caste I wish to keep him.

If free negroes are permitted to come out of this caste, and assume the character of calling in

question in a court of justice the veracity of a white man, or disturbing his rights, or annulling the commission of a naval officer, will not the slave population aspire to the same condition—become discontented in their situation, and seek to acquire those rights which their colored brethren possess? Do not free negroes intermingle and associate with the slaves? Do they not imbibe the views, feelings, and passions of the slaves? Are not their minds beclouded with ignorance, and blinded with prejudices? Do they possess that keen sense—those elevated views of morals, which should induce a community to allow them to testify as a witness against a white person? The force of those objections is almost intuitively perceived. These objections are recognized by the illiterate, as well as by the learned, and acted upon daily.

This is an innovation so striking, so alarming, so repugnant to all former practice and to all ideas of justice and law, that it may be safely pronounced to furnish, especially when combined with the principles involved, the most formidable, the most irresistible engine of oppression, under the forms of law, that was ever placed in the hands of power; and if the day should ever arrive, which Heaven in its mercy avert, when this engine shall be wielded under the direction of party spirit, or of popular passion instigated by personal malice, dreadful indeed will be the fate of those whom it may be the object of the moment to destroy. Against a doctrine so absurd and mischievous, so contrary to every notion of justice hitherto entertained, so utterly subversive of all that part of our system which has been so wisely established for the protection of life, liberty, and property, that we deem it our duty, and on every fit occasion, to enter our protest and lift up our voice in opposition to your restoration to power; and we trust, that in the discharge of this duty, we shall find approbation and support in the heart of every man who respects the principles of justice and law.

Indeed, you must have had strange views of the nature of the human character, and have made little use of the lessons to be gathered from the history of the negro race, to suppose, what is necessarily implied in your argument, that such an abominable system which you have sanctioned could exist in the Southern States, deprived of all its pernicious relations and accompaniments, stripped of its power in a way to do harm, except in that particular direction which you have chosen to imagine.

You seem to have fallen into the common practice of looking only at a single direct and immediate consequence of the error committed by you, unconscious of the necessity of expanding your views over the whole circle of its influence and connections. A single glance at the condition of the slave-holding States suffices to show that this doctrine is necessarily connected with other doctrines; that when once this system is established, other dependent systems spring up around it, with all their concomitants and consequences, which never can be beneficial to the country.

Whatever your intentions may be, it must be obvious that this portion of your administration meets with universal condemnation—as essentially an inefficient, trimming, half way sort of Government—too capacious, pernicious, and disrespectful to authority, to be successful in administering the affairs of the country, and too cautious and tenacious of old doctrines to deserve the confidence, or excite the sympathies, of a generous and enlightened people. During the four years you administered the Government, you stand convicted of dealing in contradictory and equivocating doctrines; of practising a continual see-saw of admissions and retractions; of saying now a word for the people—now one for those in power—now one for the corrupt ear; of paralyzing all liberal propositions by some timid and paltry reservation, and never being betrayed into a popular sentiment without virtually chilling and neutralizing it by some cold fears of excess, some cautious saving of the principles of expediency or constitutional doctrine.

In no one instance has there been either wisdom in your deliberations, or fortitude in your conduct. Never, certainly, have the public councils of any nation exhibited, within so short a period, so much of conscious imbecility and vainglorious conduct; so much of shameful inconsistency and clumsy disingenuousness; so much of corruption and disregard of law. Every step of your Administration indicated, if not what Bolinbroke calls "*gouging prostitution*," at least a combination of weakness and folly, of narrow prejudice and low artifice, calculated to produce effects equally disastrous. In the policy which characterized your Administration, there is nothing but what is ignoble and inglorious, confused and grovelling, illiberal and sordid; which is fitted to emasculate and degrade the State, to lower the conceptions of the nation, and blunt her moral sense, the corner stone upon which the fabric of our liberty rests.

For many years you have stood before the American people as the violent enemy of wholesome reform, the apologist for usurpations, the advocate for the abuse, every approver of every corrupt system, and, as I am not a believer in sudden conversions to virtue in the fifth act of life, I can discover no reason for assuming you to be other than you have always appeared. If you have had a call—a new birth unto righteousness—the blessed change must have been of very recent date. And if you have been, as some of your clique seem to suspect, a friend to the people in disguise, I should apply to you the remark of the hackneyed epigram:

"Perhaps it was right to dissemble your love,
But why did you kick us down stairs?"
A WHIG OF 1840.

HIGH LIVING.—One of the best things of the day is the following recipe for Homeopathic soup, said to have originated with the late Dr. Post, of New York. It will make you laugh, even if you are a homeopathist:

"Take two starved pigeons, hang them by a string in the kitchen window, so that the sun will cast the shadow of the pigeons into an iron pot already on the fire, and which will hold ten gallons of water, boil the shadows over a slow fire for ten hours, and then give the patient one drop in a glass of water every ten days."

SLAVE TRADE.—This abominable traffic is still prosecuted with activity between Africa and the Island of Cuba. A letter from Havana, of 24th ult., published in the New Orleans Bee, says:—

A ship arrived on the coast last week with upwards of one thousand negroes, and it is said that \$13,000 were paid to the Captain General so as to allow the landing of them.

THE WHIG STANDARD.



"Flag of the free! thy folds shall fly,
Thy sign of hope and triumph high."

FOR PRESIDENT,
HENRY CLAY,
OF KENTUCKY.

WASHINGTON.

FRIDAY MORNING, MARCH 15, 1844.

Van Buren's opinion of the present Tariff.
The letter published by the Richmond Enquirer places this opinion on record, without equivocation, and it is well to keep it in mind:

"ALBANY, Feb. 23, 1843.
"My Dear Sir:—I thank you very kindly for your friendly letter. I HAVE AT NO TIME, NOR ANY WHERE, HESITATED TO EXPRESS MY DECLINED DISAPPROBATION OF THE TARIFF ACT OF THE LAST SESSION, AS WELL IN RESPECT TO THE PRINCIPLE UPON WHICH IT IS FOUNDED, AS TO ITS DETAILS. In good time you will have my views in respect to that and other subjects before the public.
In the mean time, believe me to be, very sincerely, your friend and obedient servant,
MARTIN VAN BUREN."

THE TRUE QUESTION.

It is the proverbial custom of the thief to cry "stop thief," and of the house-burner to cry "fire," more vociferously than those who are innocent of these felonies, and long before the cry is raised by them. Our opponents, the Locofocos, act upon this principle, the Globe leading the way. Knowing themselves to be steeped in corruption, recollecting their numerous robberies of the public Treasury, amounting to more than a million and a half of dollars—knowing, also, the enormous abuses committed by them, and the extravagant expenditures of the Government under their Administrations—feeling the consciousness of guilt, we say, in all these little matters, and fearful lest the people should not have forgotten who "the spoilsmen and plunderers" were, they endeavor to drown the public voice of indignant accusation, or to anticipate it by raising the old stale cry of "Biddle Bank," "Biddle Bank," as if the ghosts of the United States Bank and of Mr. Biddle were to serve the purpose of frightening the people into submission and acquiescence to Locofocoism, as "the old beggar man" is used by nurses to frighten children into silence and obedience.

The Globe of yesterday says: "The American people should not forget the past." We trust they will not. They have suffered, we think, too severely under the excruciating "experiments" of Locofocoism during years past to forget. Can they forget who have writhed under the operation of the rack until they have barely life left, every thing being lost that makes life a blessing? Can the merchant forget who has been bankrupted? Can the manufacturer forget who has been broken up? Can the mechanic forget whose hammer has lain idle for years, and whose family were compelled to retrench, to economise, and pinch to get through the year? Can the farmer forget whose produce lay on his hands and would scarcely command half its former price, even when he could sell any portion? Can the laborer forget who was thrown out of employment, and who was imploring it in vain, while his family were suffering from hunger and want? No! No! they cannot, will not forget. They did not forget in 1840 who brought their misfortunes and sufferings upon them—who had reduced the country from a high state of prosperity to one of suffering—who it was that declared that "the people expected too much of the Government"—who it was that provided one kind of currency for the office holders and another for the people—who it was that promised the people gold and silver in such abundance that they should flow up the Mississippi—that they should glisten through the interstices of every farmer's silken purse, yet furnishing the people nothing but rage, thus promising bread but giving a stone. The people have not such short memories as to forget all these things, and they are about to settle their accounts once more with those by whom they were deceived, cheated, defrauded, ruined.

Nor will they forget that the country has been restored to life, health, and vigor, by the passage of a single act, the Tariff act, by a Whig Congress, and by the reduction, by the Whigs, of the expenditures of the Government from thirty-five to twenty-two millions per annum. We repeat the language of the Globe: "THE AMERICAN PEOPLE SHOULD NOT FORGET THE PAST."

The SENATE yesterday confirmed the nominations of JOHN Y. MASON, of Virginia, as Secretary of the Navy, and JAMES S. GREEN as District Attorney for New Jersey, and rejected that of ROBERT RANTOUL, jr., as Collector of the port of Boston.

The bill to elect members of Congress by plurality, instead of majority, passed the Massachusetts House of Representatives on Thursday.

MR. SMITH, OF INDIANA.

Mr. CALEB B. SMITH, of Indiana, occupied the morning hour yesterday, in reply to Mr. Rathbun, of New York, and Mr. Kennedy, of Indiana, upon the Rhode Island question. Mr. Smith came to Washington preceded by a reputation for abilities and oratorical powers of no common order. His speech yesterday fully sustained this reputation. Mr. S. said he did not subscribe to the doctrine of *vox populi vox Dei*. He did not believe the voice of the people was at all times the voice of God. He did not believe in the doctrine that the people can do no wrong, any more than he did in the doctrine that the king can do no wrong. The doctrine that the people have a right to do whatever they please, and that whatever they do is right, would lead to wild and lawless anarchy.

It had been said that the Dorrites were only exercising the right which the God of Nature gave them. Their natural rights had been spoken of. He inquired what those natural rights were, and where they were to be limited? to what class of persons? to whites? do you exclude blacks from these natural rights? by no means; then, according to the doctrine of the advocates of the Dorri insurrection, the negroes of Virginia, South Carolina, and other Southern States, have a right to assemble and alter the constitutions of the States in which they reside.

He wished to know why the people of Rhode Island were to be confined to any geographical limits? do any geographical lines confine natural rights? why not the people of a portion of New Hampshire join with them in forming a constitution? If the people have a natural right to form a constitution whenever they please, what prevents the people of the whole United States from abolishing their State governments and forming a central consolidated government? He might have asked, too, why not declare that they would be bound by no other law than the law of nature, or, indeed, any law at all? Suppose, said Mr. S., that the people of the District of Columbia should determine that they would not be governed by Congress, [they have good reason, certainly, for desiring a better and more parental governing power,] and should determine to have a legislature, governor, &c., of their own? By the natural right which has been claimed for the people they would have the right to do this.

Mr. S. illustrated this subject by reference to the events of the French Revolution. The masses who swept every thing before them in Paris, who caused the streets to run with the blood of their fellow beings, claimed a natural right to commit these enormities. Robespierre, Danton, Marat, and other Jacobins, preached the same doctrines about natural rights that we have heard in this Hall. From the wild fancy of those who preached this doctrine, France took refuge under the iron rule of a Military Chieftain. Mr. S. said the Mormons entertained a doctrine somewhat congenial with this; they resolved that the earth and the fullness thereof belonged to the saints; then they resolved they were the saints; ergo, the earth belonged to them.

Mr. S. spoke of the member from N. H. (Mr. Burke) having brought this subject into the House: he thought he might find ample employment in reforming the Constitution of his own State. She was considered Democratic according to the strictest notions of the day. He then went into an examination of the Constitution of New Hampshire, which requires a large property qualification to be either a Representative, a Senator, or Governor of that State.

He next showed Mr. Van Buren's opinions upon the right of suffrage, as impressed upon the records of the country, and spread upon the Journal of the Convention which amended the Constitution of the State of New York.—Mr. S. read several extracts from the Journal of the Convention, giving Mr. Van Buren's votes and opinions, as there given and expressed.—These were opposed to universal suffrage, and in favor of negroes voting who had property of the value of \$250.

AMERICAN REPUBLICAN NOMINATION.—James Harper, Esq., of the firm of Harper & Brothers, printers, has been nominated for Mayor of New York by the American Republican Convention.

The Hon. EDWARD STANLY has been appointed to represent the eighth Congressional District of North Carolina in the Whig National Convention at Baltimore, and the Hon. WILLIAM H. WASHINGTON his alternate.

LIFE OF NOAH WEBSTER.—We learn from the New Haven Herald that the Rev. Leonard Bacon will undertake the task of compiling the life of the great lexicographer.

NOT MUCH DIFFERENCE, AFTER ALL.—In a speech made by Mr. Cooper in Harrisburg, on Wednesday evening, at a meeting to respond to the nomination of Gen. Markle for Governor, he remarked, among many other good things, that there is no great difference, after all, between Parson Muhlenberg and Gen. Markle. They both received commissions to fight the enemy. The Parson battled against the evil one, the common enemy of mankind, and the General against the Indians, the enemy of his country. The only difference is, that while the General whipt the Indians, Old Nick whipt the Parson, since which time he has been fighting hand and hand with his old adversary in the Locofoco ranks.

A RESPONSE IN LANCASTER, PENNSYLVANIA.—The Whigs and Anti-Masons of the city of Lancaster held a large public meeting on Friday last, and passed resolutions warmly in favor of Clay for President and Markle for Governor. One of them promises a majority in Lancaster county of 5,000 over Van Buren and Muhlenberg.

FROM ST. DOMINGO.

Correspondence of New York Express.

AUX CAYES, Feb. 9, 1844.

This island now appears tranquil after the many attempts made by the blacks to obtain the ascendancy over the colored population. Had they been successful, no doubt the horrid scenes of past years would have taken place.

Gen. Reviere Hiera was elected President on the 30th of December last. As far as I can learn, things are going on very quietly under the new administration. The President, although not favored with much education, is a man of strong intellect, and no doubt will govern the Island better than any other that could have been appointed. I can but hope that the Island will improve under his administration. The Presidential term is four years, and not again eligible to office until four years after his presidential term expires.

FROM HAVANA.—By the brig Titi, which arrived on the 6th, we have received our files of Havana papers to the 29th February.

On the 1st of March, some twenty individuals were to be banished to Spain for participating in the late troubles. This decision was made by the Captain General. A correspondent writes us that the decrees of his excellency are despotic and arbitrary, but are tolerated with exemplary resignation. Trade continues active. There is nothing new, commercially, and the papers are, as usual, barren of interest.—N. O. Bee.

FROM RIO DE JANEIRO.—By the barque Amelia Mulholland, Captain Millington, at New York, Rio Janeiro papers to the 21st January were received. They state that the captain and another officer of the English brig of war Frolic had been cruelly beaten near the city of Santos, as they were about to return to their vessel after calling upon the British Vice Consul. The United States brig Perry had arrived out in 42 days from Norfolk, having experienced very bad weather.

FROM MATANZAS.—The New York Courier says: "We learn from a gentleman who came passenger in the Schooner Handy, arrived yesterday from Matanzas, that several arrests of white men had taken place in that city—the parties being connected, or supposed to be so, in the late insurrection of the negroes; great distrust of foreigners consequently exists; and, unless their passports from the Spanish Consul at the port they leave be perfectly in form, they are subject to great annoyance and trouble. The news of the loss of the ship John Dennison, from Greenock, bound to Mobile, had just reached Matanzas. She ran ashore on Cape Antonio, on the morning of 11th February; all hands saved—the ship and cargo a total loss."

PROGRESS OF LOCOFOCOISM.—We find the following paragraph in the New York Evening Post of Thursday:—

THE PEOPLE'S RIGHTS.—This is the name of a paper which has been sent us, just started in this city, by John Windt and George H. Evans. The object of it seems to be to argue the extreme doctrine of the right of the people to an equal distribution of the land.

THE REBECCITES.—It appeared during a recent trial of some of the Welsh Rebeccaes, that at one time a fund was in progress to procure the assassination of Mr. Chambers, a magistrate. Several persons offered to shoot him for £10. The subscribers thought this too much, and the demand was lowered to £5. £2 10 was raised; after which, some of the parties broke away from the conspiracy, and it fell to the ground. The prisoners add, that a scheme was also on foot among the colliers to undermine the road and blow up the dragoons.

BENTON'S OPINION OF CLAY.

We know of nothing better than Colonel Benton's opinion of Henry Clay. He expressed it as follows, in an address delivered in 1824 to the people of Missouri. Mr. Clay is all now he was then; and his devotion to the principles once thought to be closely identified with the welfare and prosperity of the people, and acknowledged as democratic by Thomas Hart Benton himself, is as strong at this time as it ever was. Mr. Benton may have changed, but Mr. Clay has not. Several of his opponents have recently admitted that Mr. Clay was a democrat up to 1824; at that time they say he abandoned his principles and deserted true democracy. They have not attempted to produce the least proof of this charge, unless we call the stale and oft-exploited charge of "bargain and sale," the falsity of which has been recently acknowledged by the very men who originated it; while we produce the endorsement of Mr. Benton himself, written late in 1824, that Mr. Clay was at that time a pure patriot and true democrat, in whom the country could safely repose the most implicit confidence, and upon whom that country should bestow its highest honors! Mr. Benton, we presume, belongs to the "progressive democracy," while Mr. Clay stands fast upon the old platform, and adheres unchangingly to old landmarks. This will account for the difference between the positions of the two at this time. But hear Mr. Benton. We have already placed this before the "public eye" frequently. There is no danger of doing so too frequently:

"The principles which would govern Mr. Clay's administration if elected, are well known to the nation. They had been displayed on the floor of Congress for the last seventeen years. They constitute a system of American policy based on the agriculture and manufactures of his own country—upon interior, as well as foreign commerce—upon internal as well as sea-board improvements—upon independence of the new world—close commercial alliances with Mexico and South America. It is said that others would pursue the same system; we answer that the founder of the system is the natural executor of his own work. That the most efficient protector of American iron, lead, hemp, wool, and cotton, would be the triumphant champion of the new tariff; the safest friend to interior commerce would be the statesman who has proclaimed the Mississippi to be the sea of the West—the most zealous promoter of internal improvements must be the President who has triumphed over the President that opposed the construction of national roads and canals—the most successful applicant for treaties with Mexico and South America would be the eloquent advocate of their own independence.—Ohio State Journal.